

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

THERELL DAVIS,

No. 3:20-cv-00947-JR

Plaintiff,

ORDER

v.

PROGRESSIVE UNIVERSAL  
INSURANCE COMPANY,  
PROGRESSIVE CASUALTY  
INSURANCE COMPANY,  
PROGRESSIVE INSURANCE  
COMPANY, and PROGRESSIVE  
INSURANCE CORPORATION,  
INC.,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Jolie Russo issued a Findings and Recommendation on October 13, 2020, in which she recommends that this Court grant in part and deny in part Defendant's

Motion to Dismiss. F&R, ECF 21. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Defendant filed timely objections to the Magistrate Judge's Findings & Recommendation. Defs. Obj., ECF 30. When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

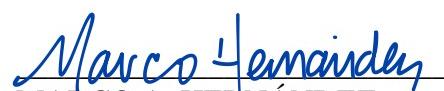
The Court has carefully considered Defendants' objections and concludes that there is no basis to modify the Findings & Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings & Recommendation.

### **CONCLUSION**

The Court ADOPTS Magistrate Judge Russo's Findings and Recommendation [21]. Therefore, Defendants' Motion to Dismiss [12] is granted in part and denied in part.

IT IS SO ORDERED.

DATED: March 9, 2021.

  
MARCO A. HERNÁNDEZ  
United States District Judge